



[4910-13]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2013-0449; Airspace Docket No. 13-AEA-8]

Amendment of Class D and E Airspace, and Establishment of Class E Airspace; Salisbury, MD.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Class D and Class E airspace, and establishes Class E airspace at Salisbury-Ocean City Wicomico Regional Airport, Salisbury, MD, due to the decommissioning of the Salisbury VHF Omnidirectional Radio Range Tactical Air Navigation Aid (VORTAC) and cancellation of the VOR approach. This enhances the safety and management of aircraft operations at the airport. This action also updates the geographic coordinates of the airport, and changes the Class D city designator.

DATES: Effective 0901 UTC, February 6, 2014. The Director of the Federal Register approves this incorporation by reference action under title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

FOR FURTHER INFORMATION CONTACT: John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-6364.

SUPPLEMENTARY INFORMATION:

History

On August 22, 2013, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to amend Class D and Class E surface area, and establish Class E airspace designated as an extension to a Class D surface area at Salisbury-Ocean City Wicomico Regional Airport, Salisbury, MD. (78 FR, 52109). Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Class D and Class E airspace designations are published in paragraphs 5000, 6002, 6004, and 6005, respectively, of FAA Order 7400.9X dated August 7, 2013, and effective September 15, 2013, which is incorporated by reference in 14 CFR Part 71.1. The Class D and E airspace designations listed in this document will be published subsequently in the Order.

The Rule

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 amends Class D airspace and Class E surface airspace to within a 4.3-mile radius of the airport. Class E airspace extending upward from 700 feet above the surface is amended to within a 7-mile radius of the airport. Class E airspace designated as an extension to a Class D surface area airspace is

established within a 4.3-mile radius of the airport, with segments extending 7 miles southeast, northeast, and southwest of the airport. The geographic coordinates of the airport are adjusted to coincide with the FAA's aeronautical database. The Class D city designation is changed from Salisbury-Ocean City Wicomico Regional Airport, MD, to Salisbury, MD.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current, is non-controversial and unlikely to result in adverse or negative comments. It, therefore, (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of

aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it amends controlled airspace at Salisbury-Ocean City

Wicomico Regional Airport, Salisbury, MD

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures," paragraph 311a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment

Lists of Subjects in 14 CFR Part 71:

Airspace, Incorporation by reference, Navigation (Air).

Adoption of the Amendment:

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR Part 71 as follows:

PART 71 --DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

1. The authority citation for Part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

§71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9X Airspace Designations and Reporting

Points, dated August 7, 2013, effective September 15, 2013, is amended as follows: Paragraph 5000 Class D Airspace

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AEA MD D Salisbury, MD [Amended]

Salisbury-Ocean City Wicomico Regional Airport, MD
(lat. 38°20'25"N., long. 75°30'34"W.)

That airspace extending upward from the surface to and including 2,500 feet MSL within a 4.3-mile radius of Salisbury-Ocean City Wicomico Regional Airport. This Class D airspace area is effective during specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

Paragraph 6002. Class E Airspace Areas Extending Upward from the Surface.

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AEA MD E2 Salisbury, MD [Amended]

Salisbury-Ocean City Wicomico Regional Airport, MD
(lat. 38°20'25"N., long. 75°30'34"W.)

That airspace extending upward from the surface within a 4.3-mile radius of Salisbury-Ocean City Wicomico Regional Airport. This Class E airspace area is effective during specific dates and times established in advance by a Notice to Airmen.

Paragraph 6004 Class E Airspace Designated as an Extension to a Class D Surface Area.

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AEA MD E4 Salisbury, MD [New]

Salisbury-Ocean City Wicomico Regional Airport, MD
(lat. 38°20'25"N., long. 75°30'34"W.)

That airspace extending upward from the surface within 2.5 miles each side of a 133° bearing from Salisbury-Ocean City Wicomico Regional Airport extending from the 4.3-mile radius of the airport to 7 miles southeast of the airport, and 2.5 miles each side of a 51° bearing from the airport, extending from the 4.3-mile radius of the airport to 7 miles northeast of the airport, and 2.5 miles each side of a 209° bearing from the airport, extending from the 4.3-mile radius of

the airport to 7 miles southwest of the airport.

Paragraph 6005. Class E Airspace Areas Extending Upward from 700 feet or More Above the Surface of the Earth.

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AEA MD E5 Salisbury, MD [Amended]

Salisbury-Ocean City Wicomico Regional Airport, MD
(lat. 38°20'25"N., long. 75°30'34"W.)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Salisbury-Ocean City Wicomico Regional Airport.

Issued in College Park, Georgia, on **November 19, 2013**

KIP B. JOHNS

Manager, Operations Support Group

Eastern Service Center, Air Traffic Organization

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